CAROL M. WHITE
PHYSICAL EDUCATION PROGRAM (CFDA #84.215F)

Fiscal Year 2006 Application Information and Procedures

Application Deadline: April 12, 2006

Frequently Asked Questions – Page 43

U.S. Department of Education
Office of Safe and Drug-Free Schools
www.ed.gov/osdfs

OMB #1890-0009 Expiration Date: 6-30-2008

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SAFE AND DRUG-FREE SCHOOLS

Dear Applicant:

Thank you for your interest in applying for a Carol M. White Physical Education Program (PEP) grant.

The U.S. Department of Education recognizes that quality physical education programs provide opportunity for students to learn the value of regular physical activity and good nutrition in order to develop and maintain a healthy lifestyle. Quality physical education programs also create safe environments for students to improve their cognitive skills and social interaction.

Through PEP grants, we support local educational agencies and community-based organizations in their efforts to develop and implement research-based K-12 physical education programs. Two primary objectives of this grant program are to help students make progress toward meeting state standards in physical education, and to help students increase their physical activity. To achieve these program objectives, funds are used in a variety of ways, including curriculum development and implementation, professional development, fitness assessments, and equipment purchases. For additional information about the PEP grant or to access the 2006 application online, please visit www.ed.gov/osdfs.

We look forward to receiving your application. Good luck!

Sincerely,

Deborah A. Price
Assistant Deputy Secretary

400 MARYLAND AVE., S.W., WASHINGTON, DC 20202
www.ed.gov

Table of Contents

APPLICANT TIPS

Before You Begin

- Read this application package carefully and follow all of the instructions.
- **Read the Frequently Asked Questions section.**
- For additional technical assistance resources visit, http://www.ed.gov/programs/whitephysed/resources.html.
- If you are uncertain about any aspect of this application package, contact one of the competition managers (see last page of package).

Preparing Your Application

- Be thorough in your program description. Write so that someone who knows nothing about your organization or your program plan can understand what you are proposing.
- Organize your application according to the selection criteria and respond comprehensively.
- Make sure your budget narrative provides enough detail about planned expenditures so that it is clear how funds will be spent.
- Link your planned expenditures to the goals and objectives of your program. Do not request funds for miscellaneous purposes and make sure you demonstrate that your proposed expenditures are necessary and reasonable to carry out your program.
- Make sure your budget describes a non-federal match that meets the program requirements. For an example of how to calculate the matching requirement, see the "Requirements" section.
- If you plan to claim indirect costs, make sure you provide documentation of your negotiated restricted indirect cost rate.

Submitting Your Application

- Refer to the checklist provided in this package to make sure your application is complete before submitting it.
- Make sure all required forms are included and signed by your organization's authorized representative.
- Transmit your application by the deadline date. If you use the U.S. Postal Service, make sure you have a legible postmark date. If you use an overnight carrier, get a receipt. If you use e-Application, follow the instructions on the e-Application Web site.
- Don't delay in submitting your application. No applications submitted in hardcopy or electronically after the competition's closing date will be accepted.

Next Steps

- Within two weeks from the closing date, you should receive a postcard from ED's Application Control Center acknowledging receipt of your application and giving you its assigned number. If you submit your application through the Internet via the e-Grants Web site, you will receive an automatic acknowledgment when we receive your application. Please refer to this number if you need to contact us about your application.
- Your application will be screened to ensure that all program eligibility requirements are met and all forms are included.
- Your application will be assigned to and evaluated by a three-person panel of independent reviewers. Your application will receive a score from 0 to 105, depending upon how well you address the selection criteria and whether you qualify as a novice applicant.
- A grant award document will be sent to applicants whose proposals score within the funding range. Unsuccessful applicants will receive a notification letter. Both successful and unsuccessful applicants will receive emailed copies of the peer review comments. These comments will be sent to the authorized representative and project director identified in your application. Please make sure your application contains accurate email addresses.

GENERAL INFORMATION

Eligibility

Eligible applicants are local educational agencies (LEAs) and community-based organizations (CBOs), including faith-based organizations. All applicants must meet the statutory and regulatory requirements.

Project Period

Projects may be funded for up to 36 months (three budget periods of 12 months each), contingent upon the demonstration of substantial progress each year toward meeting project goals and objectives, and the availability of future funding.

Estimated Range of Awards

Under this grant competition, approximately 58 awards will be made, ranging from \$100,000 - \$500,000 per project year. These estimates do not bind the Department of Education to a specific number of grants or award amounts.

Awards will be based upon the peer review rank-ordered list, and consideration will be given to the geographic distribution of grants, including urban and rural areas.

Application Due Date

All applications must be postmarked on or before April 12, 2006. Applications delivered in-person or by courier must be received by the Department of Education's Application Control Center no later than 4:30 p.m. (Eastern Time) on April 12, 2006. You may also submit an electronic application via the Department's e-Application system. Electronic applications must be received by 4:30 p.m. (Eastern Time) on April 12, 2006. We will not accept emailed or faxed applications.

Under very extraordinary circumstances, we may change the closing date for a competition. If this should occur, an announcement will appear in a Federal Register notice.

Waivers will not be granted to applicants who fail to meet the application deadline, except under circumstances described in the Federal Register notice announcing the grant competition.

Grant Award Announcements

We intend to announce awards in August 2006. However, awards may be announced as late as September 30, 2006.

Novice Applicants

Novice applicants will receive an additional five points to their final score. A novice applicant has: a) not previously received a grant or subgrant under this program; b) not previously been a member of a group application that received a grant under this program; or c) not had an active discretionary grant from the Federal government in five years prior to the deadline date for applications submitted under this program.

To receive consideration as a novice applicant and the additional five points, you must check the "yes" box for Item #6 on the application form (Application for Federal Education Assistance – ED Form 424). A checked "yes" is certification that you meet the novice applicant requirements in the Education Department General Administrative Regulations (EDGAR), section 75.225.

<u>Group Applications</u> – In case of a group or collaborative effort between eligible parties, all group members must meet the novice applicant definition (see EDGAR 75.127-75.129). As with an individual applicant, a checked "yes" box for Item #6 on the application form (ED Form 424) indicates that the lead agency is certifying that all group members meet the novice applicant requirements. Further, all group members must enter into an agreement that binds each group member to every statement and assurance in the application. A copy of this agreement must be submitted with the application to receive consideration for the additional points.

Note: A grant is active until the end of the grant's project period or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds.

Identical Applications

Application information submitted should be unique and specific to the applicant's school, district, organization, and population. Identical or substantially similar applications are not responsive to the selection criteria.

Definitions

(A) The term **local educational agency** (LEA) is defined as:

1) A public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary school.

2) The term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

3) The term includes an elementary or secondary school funded by the Bureau of Indian Affairs but only to the extent that such inclusion makes such school eligible for programs for which specific eligibility is not provided to such school in another provision of law and such school does not have a student population that is smaller than the student population of the local educational agency receiving assistance under this chapter with the smallest student population, except that such school shall not be subject to the jurisdiction of any State educational agency other than the Bureau of Indian Affairs [20 U.S.C. 8011 (18)].

4) The term includes educational service agencies and consortia of those agencies.

5) The term includes the State educational agency in a State in which the State is the sole educational agency for all public schools.

(B) The term **community-based organization** (CBO) is defined as a private or public nonprofit organization of demonstrated effectiveness that:

1) Is representative of a community or significant segments of a community; and
2) Provides educational or related services to individuals in the community.

(C) The term **nonprofit** is defined as an agency, organization or institution that is owned and operated by one or more corporations or associations, whose net earnings do not benefit, and cannot lawfully benefit, any private shareholder or entity.

(D) The term **novice applicant** is defined as any applicant for a grant from the Department of Education that:

1) Has never received a grant or subgrant under the program from which it seeks funding;

2) Has never been a member of a group application, submitted in accordance with 34 CFR 75.127-75.129, that received a grant under the program from which it seeks funding; and
3) Has not had an active discretionary grant from the Federal Government in the five years before the deadline date for this competition.

Note: For group applications, a novice applicant includes only parties that meet the requirements listed above. Also, a grant is active until the end of the grant's project funding period, including any extensions of those periods that extend the grantees authority to obligate funds.

Authority

The authority for this program is found in 20 U.S.C. 7261.

Together with the statute authorizing the program and EDGAR governing the program, this package is complete and contains all of the information, application forms, and instructions needed to apply for the Carol M. White Physical Education Program grant.

Applicable Regulations

The following regulations (EDGAR) apply to the competition described in this application package: 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, 99 and 299. Note: The regulations in 34 CFR Part 86 apply to institutions of higher education only.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for the information collection is OMB No. 1890-0009. The time required to complete the information collection is estimated to average 28 hours per response, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to the: Office of Safe and Drug-Free Schools, U.S. Department of Education, 400 Maryland Avenue, SW, Room 3E332, Washington, DC 20202-6450.

BACKGROUND

Program Overview

Regular physical activity and nutritious eating are important for maintaining a healthy weight and good health. Unfortunately, an abundance of research shows that America's youth are progressively becoming less healthy – they are inactive and eat foods of little nutritional value. As a result, children and adolescents are gaining unhealthy amounts of weight and, therefore, increasing their susceptibility to chronic illnesses, such as heart disease, high blood pressure and type 2 diabetes. In addition to issues of health and wellness, a growing amount of evidence shows that physical inactivity and poor nutrition adversely impact academic performance. [1, 2, 3]

To support efforts to improve the lifelong physical health of all children, the Carol M. White Physical Education Program (PEP) provides grants to local educational agencies and community-based organizations to initiate, expand, or enhance physical education programs for students in kindergarten through 12th grade. Applicants are encouraged to propose research-based projects that reflect an integrated, comprehensive approach to lifelong physical fitness for their students. In addition, grant recipients must implement programs that help students make progress toward meeting State standards for physical education.

In fiscal year 2001, the PEP grants were first awarded to 18 applicants for a total of $4,950,000. Since then, a total number of 790 grantees have received over $212,800,000 in funding to develop and implement curriculum, provide professional development, assess student fitness levels, conduct evaluations and purchase equipment.

State Standards for Physical Education

To be considered for a PEP grant under this competition, your proposal must describe a plan to help students meet state standards for physical education. Most states and territories have established minimum physical education requirements. In recent years, several states have begun to reevaluate their standards to ensure that they are designed to address major components of a high quality physical education program. In developing their own standards, states have looked to national and other existing state standards for guidance.

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[1] California Department of Education. "State Study Proves Physically Fit Kids Perform Better Academically." Available at: http://www.cde.ca.gov/news/releases2002/rel37.asp.
[2] Hillman, C., H., Castelli, D. M., & Buck, S. (submitted for review). Physical Fitness and Cognitive Function in Healthy Preadolescent Children. University of Illinois at Urbana-Champaign.
[3] National Association of State Board of Education, Fit, Healthy, and Ready to Learn: A School Health Policy Guide (2000). Available at: http://www.nasbe.org/healthy_schools/fit_healthy.htm

Below is a list of Web sites that may provide your State's standards. **Please make sure you verify the accuracy of the information posted on any one of these sites before acting on that information.**

Standards for most states are available at
www.pelinks4u.org/links/statestandards.htm.

Physical education requirements for a few states not found at the Web site above may be found at the following Web sites:

Alabama –
www.alsde.edu/html/sections/section_detail.asp?section=54&footer=sections

Arkansas – http://arkedu.state.ar.us.

Delaware – www.doe.state.de.us/Standards/PhysEducation/Pecontstnd.pdf

Georgia – www.glc.k12.ga.us

New Hampshire – www.ed.state.nh.us

Please contact the following states directly for their physical education standards:

District of Columbia
Barbara Rockwood
Director of Health and Physical Education
D.C. Board of Education
202-442-5638

Maryland
Dixie Stack
Director of Curriculum
Maryland Department of Education
410-767-0348

Ohio
Diane Tomer
School Health and Physical Education Association of Ohio (OAHPERD)
800-828-3468

Puerto Rico
Cecilia James
Puerto Rico Department of Education
787-759-2674

If your state does not have physical education standards, you must select standards from another state. You may not substitute national standards.

Characteristics of Effective PEP Grant Proposals

Beginning in 2004, the Department expressed its intent to fund high quality, research-based programs that demonstrate a commitment to developing lifelong healthy habits for students, rather than fund programs solely focused on purchasing new equipment. Based on this intent, well-designed programs should reflect:

- A strong incorporation of evidence-based model programs where there is a good analysis of the research to determine what will work for the target population.
- A comprehensive and strategic approach to meeting state standards, addressing the grant's program elements, and achieving program sustainability.
- A coordinated school health approach that integrates complimentary efforts underway with school nurses, food services staff, school counselors, etc.
- Community partnerships with local health organizations, universities, and non-profits to leverage resources, increase capacity building, and provide program sustainability.
- A comprehensive evaluation plan that clearly reflects attainable and measurable performance objectives (including the General Performance and Results Act measures), and provides a good methodology for collecting, analyzing, and reporting performance data. The evaluation plan should also incorporate a feedback loop for continuous improvement and periodic assessment.

Government Performance and Results Act

The Government Performance and Results Act of 1993 (GPRA) is a statute that requires all Federal agencies to manage their activities with attention to outcomes. Each agency must clearly state what it intends to accomplish, identify the resources required, and periodically report its progress to Congress. In so doing, it is expected that GPRA will contribute to improvements in accountability for the expenditures of public funds, improve Congressional decision-making through more objective information on the effectiveness of Federal programs, and promote a new government focus on results, service delivery, and customer satisfaction.

As required by GPRA, the Department of Education has prepared a strategic plan for 2002-2007. This plan reflects the Department's priorities and integrates them with its mission and program authorities. It also describes how the

Department will work to improve education for all children and adults in the United States. The Department's six goals, as listed in the plan, are:

Goal 1: Create a culture of achievement.
Goal 2: Improve student achievement.
Goal 3: Develop safe schools and strong character.
Goal 4: Transform education into an evidence-based field.
Goal 5: Enhance the quality and access to postsecondary and adult education.
Goal 6: Establish management excellence.

The Secretary has established the following performance and efficiency measures for collecting data to use in assessing the effectiveness of PEP:

<u>Physical Activity Measure (Performance)</u>:

(1) Elementary School Students - The percentage of students served by the grant who engage in 150 minutes of moderate to vigorous physical activity per week; and/or

(2) Middle and High School Students – The percentage of students served by the grant who engage in 225 minutes of moderate to vigorous physical activity per week.

The term **moderate physical activity** applies to activity that results in an increase in breathing or heart rate. Examples of moderate physical activity may include walking briskly, dancing, swimming, or bicycling on level terrain. (Source: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Division of Adolescent and School Health)

The term **vigorous physical activity** applies to activity that results in hard breathing or sweating. Examples of vigorous physical activity may include jogging, high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. (Source: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Division of Adolescent and School Health)

Examples of suggested data collection methodology for this measure include activity logs, assessment tools, surveys, or teacher observations. Data collection methodologies that are not sufficient in addressing this measure include class enrollment, percentage or number of teachers providing physical activity instruction, or percentage of active time during instruction.

<u>Cost Per Outcome Measure (Efficiency)</u>:

The cost (based on the amount of the grant award) per student who achieves the level of physical activity required to meet the physical activity measure above (150 minutes of moderate to vigorous physical activity per week for elementary school students, and 225 minutes of moderate to vigorous physical activity per week for middle and high school students).

Grantees will not be required to provide data for this measure. Instead, we will use data provided for the physical activity measure above, as well as the grant award amounts, to calculate this measure.

These measures constitute the Department's indicators of success for this program. Consequently, applicants for a grant under this program are advised to give careful consideration to these measures in formulating the approach and design of their proposed project. **Grantees are required to collect and report data on the performance measure identified above to the Department.** The Secretary may also publish data collected from grantees' performance reports to illustrate progress toward program objectives.

Grantees will also be required to participate in any national evaluation of PEP that the Secretary may require.

REQUIREMENTS

Statutory Requirements

A. Eligible Applicants

Eligible applicants are LEAs and CBOs, including faith-based organizations. For the definition of an LEA or CBO, see the "General Information" section.

B. Absolute Priority

Under 34 CFR 75.105(c)(3), we will consider only those applications that meet the absolute priority. The absolute priority is the initiation, expansion, and improvement of physical education programs (including after-school programs) in order to make progress toward meeting State standards for physical education for kindergarten through 12th grade students by 1) providing equipment and support to enable students to participate actively in physical education activities; and 2) providing funds for staff and teacher training and education.

C. Program Elements

To receive PEP grant funding, a physical education program must provide one or more of the following:

1) Fitness education and assessment to help students understand, improve, or maintain their physical well-being.
2) Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of every student.
3) Development of, and instruction in, cognitive concepts about motor skills and physical fitness that support a lifelong healthy lifestyle.
4) Opportunities to develop positive social and cooperative skills through physical activity participation.
5) Instruction in healthy eating habits and good nutrition.
6) Opportunities for professional development for teachers of physical education to stay abreast of the latest research, issues, and trends in the field of physical education.

D. Matching Requirement

PEP grant funds may only pay 90 percent of costs in the first year and 75 percent of costs in each subsequent year. Matching funds provided must be directly related to the proposed project. The following examples show how to calculate your annual share of the costs:

Example – First Year Calculation:

In the first year, applicants are required to provide a 10 percent match. If the applicant requests $100,000 in grant funds, then the applicant is required to provide $11,111 in non-federal matching funds.

$$\frac{\text{Requested Grant Amount} \times \text{Required Matching Percentage (share of total costs)}}{\text{Federal Share of Total Costs}} = \text{Matching Amount}$$

OR

$$\frac{\$100{,}000 \times .10}{.90} = \$11{,}111$$

Adding the two amounts together ($100,000 + $11,111), the total cost of the project is $111,111. The applicant match is $11,111 in non-federal funds, and the PEP grant amount is $100,000.

Example – Subsequent Year Calculation:

In each year following the first, applicants are required to provide a 25 percent match. If the applicant requests $100,000 in grant funds, then the applicant is required to provide $33,333 in non-federal matching funds.

$$\frac{\text{Requested Grant Amount} \times \text{Required Matching Percentage (share of total costs)}}{\text{Federal Share of Total Costs}} = \text{Matching Amount}$$

OR

$$\frac{\$100{,}000 \times .25}{.75} = \$33{,}333$$

Adding the two amounts together ($100,000 + $33,333), the total cost of the project is $133,333. The applicant match is $33,333 in non-federal funds, and the PEP grant amount is $100,000.

For additional information on the matching requirement, please see the “Frequently Asked Questions” section.

E. Administrative Cost Limitation

Administrative costs charged to the grant may not exceed five percent of the grant award in any fiscal year.

G. Supplement, Not Supplant

Grant funds awarded must be used to supplement and not supplant other Federal, State, and local funds available for physical education activities.

H. Restricted Indirect Cost Rate

Under the supplement, not supplant provision, in accordance with section 75.563 of EDGAR, applicants are also required to use a restricted indirect cost rate, as computed under sections 75.563 - 75.569. **If you claim indirect costs, provide documentation of your negotiated restricted indirect cost rate.**

I. Special Rule

Grant funds may not be used to support extracurricular activities, such as team sports and the Reserve Officers' Training Corps (ROTC) program activities.

J. Private School and Home-Schooled Students

Home-schooled students, their parents, and teachers, or students enrolled in private nonprofit elementary or secondary schools, their parents and teachers, may participate in activities funded through the PEP grant. Applicants are not required to propose services for these groups.

Other Requirements

A. GPRA Performance Measures

Applicants who receive a PEP grant must collect and report data on the performance measures in annual and final reports. The Department will also publish reported results towards program outcomes. For a discussion of the GPRA performance measures, please see the "Background" section.

B. DUNS Number

All grant recipients must have a DUNS Number before receiving a grant award. A DUNS Number is a unique nine-digit identification code that Dun & Bradstreet provides. Grantees need this number in order to access their grant funds from our payment system. If you do not currently have a DUNS Number, you can obtain one at no charge by calling the D&B Federal Government DUNS

Number request line at 800-333-0505, or by visiting the D&B Web site at https://eupdate.dnb.com/requestoptions.html?cmid=EOE100537.

C. Grantee Meetings

Applicants must budget for the project director to attend an orientation meeting during the first year of the grant. This meeting will be held in Washington, DC and last for up to two days.

Applicants must also budget for up to two people to attend an annual conference. Each conference will be held in Washington, DC and last for up to three days.

The grant will cover the costs to attend these meetings. For planning purposes, applicants should budget for transportation, lodging, meals and approximately $225 per person for registration fees.

D. Reports

Each grantee is required to submit an annual and/or final report to demonstrate progress toward GPRA measures and project objectives. For multiple-year projects, these reports are also evaluated to determine whether substantial progress has been made to justify a continuation award.

Both an annual report(s) and final report are required for multi-year funded projects. For one-year funded projects, only a final report is required.

E. General Education Provision Act (Section 427)

Section 427 of the General Education Provision Act (GEPA) affects applicants under this program. All applicants must include information in their applications to address this provision in order to receive PEP grant funding.

Section 427 requires each applicant (other than an individual person) to include in its application a description of proposed steps to ensure equitable access to, and participation in, its federally-assisted program for students, teachers, and other program beneficiaries with special needs.

This section gives the applicant discretion in developing the required description. The statue highlights six types of barriers that can impede equitable access or participation that you may address: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent students, teachers, or others from equitable access or participation. Your description does not need to be lengthy. Your statement may be a clear and succinct description of how you plan to address barriers that are applicable to your circumstances. In addition, your statement may come in the form of a single narrative, or you may discuss this requirement in connection with related topics in the application. **Note: A general discussion of nondiscriminatory hiring policies is not sufficient to meet this requirement. Your statement must identify potential barriers and explain the steps that will be taken to overcome those barriers.**

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve high standards. Consistent with program requirements and its approved application, an applicant may use Federal funds awarded to eliminate barriers it identifies.

Examples of GEPA Statements:

1) An applicant that proposes to carry out a nutrition education program to a multi-cultural student population might describe in its application how it plans to communicate information to participants in their native language.
2) An applicant that proposes to develop instructional materials for classroom use might describe how it would make those materials available to hearing and visually impaired students.
3) An applicant that proposes to carry out a model cardiovascular and conditioning program for secondary students is concerned that girls may be less likely than boys to enroll in the course. This applicant might describe planned outreach efforts to encourage girls to enroll.

The paperwork burden for compliance with Section 427 of GEPA is recorded under OMB Control No. 1890-0007 (Expiration Date 11/30/2007). The time required to complete this information collection is estimated to vary from one to three hours per response, with an average of 1.5 hours, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC, 20202-4651.

F. Contracting for Services

Generally, all procurement transactions must be conducted in a manner providing full and open competition, consistent with the standards in section 80.36 of the Education Department General Administrative Regulations (EDGAR). This section requires that grantees use their own procurement procedures (which reflect State and local laws and regulations) to select contractors, provided that those procedures meet certain standards described in EDGAR. (EDGAR is available online at: http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html; see section 80.36 for details about these procurement standards.)

Because grantees must use appropriate procurement procedures to select contractors, applicants should not include information in their grant applications about specific contractors that will be used to provide services for the proposed project.

Consistent with the limitations in section 75.515 of EDGAR concerning the use of consultants, contractors or consultants may be used to help prepare grant applications, but their participation in the application development process should not be presumed to result in the receipt of a contract for work under the project if a grant is awarded. Applicants may include a sum for grant writing costs in their grant's proposed budget provided that the amount requested is necessary and reasonable.

G. Email Addresses

As part of the application review process, we may need to contact you to clarify information provided. We also will make peer reviewers' comments available to you online. Please make sure your application contains accurate email addresses for the project director and authorized representative, or any other party designated to answer questions.

H. Project Director Time Commitment

Each proposal must contain information that provides the project director's time commitment to the project. For example, the time commitment for a full-time project director is 100 percent. The time commitment for a part-time project director could be 20 percent or some other percentage less than 100 percent. **All grant recipients must provide the project director's time commitment before receiving a grant award. Please include this information in your project budget and supporting narrative.**

SELECTION CRITERIA

The following selection criteria will be used to evaluate applications under this competition. The maximum score for all of these criteria is 100 points. Each criterion has a maximum score as indicated in parentheses. Novice applicants will receive an additional five points. The maximum score an applicant can receive is 105 points.

Need for Project (15 points)

In determining the need, the following factors are considered:

a. The magnitude or severity of the problem to be addressed by the proposed project. (5 points)

b. The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses. (10 points)

Note: We will look for specific gaps and weaknesses in addressing State standards for physical education. Applicants should clearly identify, by name and number, if applicable, one or more specific State standards and describe the gaps or weaknesses in their current physical education program relative to specific State standards. We expect applicants to make a clear link between the gaps identified in their application and the State standards.

Significance (20 points)

In determining the significance, the following factors are considered:

(a) The likelihood that the proposed project will result in system change or improvement. (10 points)

Note: We will look for the applicant to describe the integration of new and existing services and activities into a comprehensive approach to benefit students' physical well-being.

(b) The importance of the results likely to be attained by the proposed project, especially improvements in teaching and student achievement. (10 points)

Note: We expect the applicant to describe a plan to develop, expand, or enhance activities designed to 1) align physical education to State standards, 2) help students make progress towards meeting State standards, and 3) promote training for physical education teachers. In addition, we believe the most successful projects will incorporate comprehensive and integrated approaches *that do not solely rely on equipment or technology purchases. We also expect the plan to address one or more of the six program elements:*

1) *Fitness education and assessment to help students understand, improve, or maintain their physical well-being;*
2) *Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of each student;*
3) *Development of, and instruction in, cognitive concepts about motor skill and physical fitness that support a lifelong healthy lifestyle;*
4) *Opportunities to develop positive social and cooperative skills through physical activity participation;*
5) *Instruction in healthy eating and good nutrition; and*
6) *Opportunities for professional development for teachers of physical education to stay abreast of the latest research, issues, and trends in the field of physical education.*

We will also look for the applicant's plan to address challenges in meeting State standards.

Quality of the Project Design (40 points)

In determining the quality of the project design, the following factors are considered:

(a) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs. (10 points)

Note: We will look at the appropriateness of the approach for the age and developmental levels, gender, and ethnic and cultural diversity of the target population. We will also look at how the approach will engage and respond to the needs of the target population.

(b) The extent to which the proposed activities constitute a coherent, sustained program of training in the field. (10 points)

(c) The extent to which the proposed project is designed to build capacity and yield results that will extend beyond the period of Federal financial significance. (10 points)

Note: For (b) and (c), applicants are encouraged to seek the advice of, or collaborate with, school health staff, food services staff, and state and local community organizations, such as hospitals, universities, and health organizations in developing a coherent and sustainable plan. We will look at how well the plan addresses the comprehensiveness of the proposed strategy, and *how it represents an integrated approach for addressing as many as possible of the six program elements. (For the six program elements see the Significance criterion (b).*

(d) The extent to which the design of the proposed project reflects up-to-date knowledge from research and effective practice. (10 points)

Note: Applicants are expected to conduct a thorough analysis of the research to determine the best strategy for meeting the project's objectives. We will look at the incorporation of evidence-based model programs, activities and services that comprise the proposed strategy and how they will be implemented.

Quality of the Project Evaluation (25 points)

In determining the quality of the project evaluation, the following factors are considered:

(a) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible. (15 points)

Note: Evaluation plans are expected to incorporate both the GPRA and project specific measures.

(b) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes. (10 points)

APPLICANT CONTENT AND FORMAT

A panel of nonfederal experts will review and score each eligible application received by the deadline date. Make sure that your application is complete and comprehensively addresses the selection criteria. All applications must also include an itemized budget, budget narrative, applicable forms, assurances, and agreements.

A complete application comprises of the following items in the order specified:

1. ED Form 424. This is the title page of your application. Follow the instructions provided and make sure block 4 identifies the number of this competition – CFDA# 84.215F

2. Table of Contents. The table of contents should identify the page number for each of the major sections of your application, including any appendices.

3. Program Abstract. Provide a one-page, double-spaced abstract that describes the need to be addressed, summarizes the proposed activities, and identifies the intended outcomes.

4. Program Narrative. Describe your proposed project in detail with particular attention to all selection criteria and statutory requirements. Your description should include your proposed project's goals, objectives, and activities. The program narrative should be succinct and well organized, following the format and sequence of the selection criteria. If you fail to address all selection criteria, including each weighted sub-element, our experience suggests that your application will not score well enough for funding.

   In submitting your application, please use the following guidelines:

   - Submit your application on 8 ½ x 11 paper with a 1-inch margin on all sides.
   - Limit your narrative to 25 typed double-spaced pages that are numbered and printed only on one side.
   - Use font no smaller than 12-point type in black text.

5. Budget (ED Form 524 – Sections A and B). Follow the instructions provided for completing the budget form (ED Form 524). **You must complete both Sections A and B.** For each project year, provide amounts for all budget categories (up to three years). **Failure to complete budget categories for each project year will result in no funding for those years.** Do not substitute local budget codes for the budget categories contained in the form. If you will work in partnership

with another agency, do not submit budget forms for each entity; only the applicant should submit Form 524. Planned expenditures by partners should be listed on Form 524 under the Contractual or Other categories, as appropriate.

6. Budget Narrative. **A detailed narrative is required to explain the amounts provided on Form 524 – Sections A and B.** Using the same budget categories listed on Form 524, the narrative should provide sufficient detail for reviewers to easily understand how project costs for each year were determined. Explain the basis used to estimate all costs for each budget category. Provide a detailed explanation for any unusual costs and describe how those costs relate to your proposed activities, and the overall goals of the Carol M. White Physical Education Program. **Failure to provide a narrative for both Federal and matching funds, for each project year, will result in no funding for those years.**

   Note: If your proposed budget includes indirect costs, you must provide documentation of your negotiated restricted indirect cost rate.

7. Assurances, Certifications, and Disclosures. These forms must be reviewed and/or signed by the individual identified in Item 16 of ED Form 424. Failure to submit the signed assurances, certifications, and disclosures will delay any possible award. If you submit an electronic application, fax signed documents to the Department's Office of Safe and Drug-Free Schools at 202-205-5722.

   The following assurances, certifications, and disclosures forms are included in this application package:

   i. Standard Form 424B – Assurances – Non-Construction Programs;
   ii. ED Form 80-0013 – Certification Regarding Lobbying;
   iii. ED Form 80-0014 – Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions;
   iv. Standard Form LLL – Disclosure of Lobbying Activities (*note: if there are no lobbying activities to disclose, mark "Not Applicable" on this form*);
   v. General Education Provisions Act (GEPA) Requirements – Section 427; and
   vi. Survey on Ensuring Equal Opportunity for Applicants.

8. GEPA 427 Statement. See "Requirements" section.

9. Single State Point of Contact Compliance. See "Intergovernmental Review of Federal Programs" section. This applies only if your state participates in this process.

10. Appendices. This section should include only supplemental information or required supporting documentation that addresses your capacity to carry out the proposed project, such as resumes, letters of agreement with cooperating entities, summary evaluation results, or other materials. DO NOT include budget or program narrative information in this section. DO NOT include your state standards in this section. State standards should be thoroughly addressed in the narrative portion of the application.

    Supplemental materials such as videotapes, files on disk, commercial publications, press clippings, and testimonial letters will not be reviewed and will not be returned.

APPLICATION SUBMISSION

If you want to apply for a grant and be considered for funding, you must meet the following instructions and deadline requirements.

Applications Submitted Electronically

You must submit your grant application through the Internet using software provided on the e-Grants Web site (http://e-grants.ed.gov) by 4:30 p.m. (Eastern Time) on the application deadline date. The regular hours of operation of the e-Grants Web site are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until midnight Saturday (Eastern Time). Please note that the system is unavailable on Sundays, and after 7:00 p.m. (Eastern Time) on Wednesdays for maintenance. Any modifications to those hours are posted on the e-Grants Web site. Your application may not be submitted by email or facsimile. If you decide to submit your application electronically, you must use the e-Grants Web site.

If you submit your application through the Internet via the e-Grants Web site, you will receive an automatic acknowledgment when we receive your application.

Applications Sent by Mail

You must mail the original and two copies of the application on or before the deadline date to:

U.S. Department of Education
Application Control Center
Attention: CFDA #84.215F
400 Maryland Avenue, SW
Washington, DC 20202-4260

To help expedite our review of your application, we would appreciate your voluntarily including one additional copy of your application.

You must show one of the following as proof of mailing:

(1) A legibly dated U.S. Postal Service Postmark.
(2) A legible mail receipt with the mailing date stamped by the U.S. Postal Service.
(3) A dated shipping label, invoice, or receipt from a commercial carrier.
(4) Any other proof of mailing acceptable to the U.S. Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary will not accept either of the following as proof of mailing:

(1) A private metered postmark, or
(2) A mail receipt that is not dated by the U.S. Postal Service.

Also, please note that the U.S. Postal Service does not uniformly provide a dated postmark. Before using this method, please check with your local post office.

Applications Delivered by Commercial Carrier

Due to disruptions to normal mail delivery, you are encouraged to consider using an alternative delivery method, such as a commercial carrier (Federal Express, United Parcel Service, or the U.S. Postal Service Express Mail) to submit your application. If you use an alternative delivery method, please obtain the appropriate proof of mailing under “Applications Sent by Mail,” then follow the mailing instructions under the appropriate delivery method. **Make sure you submit an original and two copies of your application.**

Applications that are delivered by commercial carrier should be mailed to:

U.S. Department of Education
Application Control Center – Stop 4260
Attention: CFDA #82.215F
7100 Old Landover Road
Landover, MD 20785-1506

Applications Delivered by Hand/Courier Service

You or your carrier may hand deliver the original and two copies of the application by 4:30 p.m. (Eastern Time) on or before the deadline date to:

U.S. Department of Education
Application Control Center – Stop 4260
Attention: CFDA #84.215F
550 12th Street, SW
PCP – Room 7041
Washington, DC 20202-4260

To help expedite our review of your application, we would appreciate your voluntarily including one additional copy of your application.

The Application Control Center accepts application deliveries daily between 8:00 a.m. and 4:30 p.m. (Eastern Time), except Saturdays, Sundays, and Federal Holidays.

If you send your application by mail or if your application is delivered by hand, the Application Control Center will mail a Grant Application Receipt Acknowledgment to you. If you do not receive the notification of application receipt within two weeks from the closing date, please call the Application Control Center at 202-245-6288.

You must indicate on the envelope and – if not provided by the Department – in Item 4 of ED Form 424 the competition number under which you are submitting your application (CFDA #84.215F).

If your application is late, you will receive notification that your application will not be considered.

INTERGOVERNMENTAL REVIEW OF FEDERAL REGULATIONS

This program is subject to requirements of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR Part 79. One objective of the Executive Order is to foster an intergovernmental partnership and to strengthen federalism by relying on processes for State and local governments for coordination and review of proposed Federal financial assistance.

Applicants must contact the appropriate State Single Point of Contact (SSPOC) to find out about, and to comply with, the State's process under Executive Order 12372. Applicants proposing to perform activities in more than one State should immediately contact the Single Point of Contact for each of those States and follow the procedure established in each of those States under the Executive Order. A listing of the Single Point of Contacts for each participating State is included below. **A copy of the applicant's letter to the State Single Point of Contact must be included with the application.**

In States that have not established a process or chosen a program for review, State, area-wide, regional, and local entities may submit comments directly to the Department. If a State is not included on the following list, it has chosen to not participate in the intergovernmental review process. If you are located in one of these States, you are exempt from this request.

Any State Process Recommendation and other comments submitted by a State Single Point of Contact and any comments from State, area-wide, regional, and local entities must be received by June 12, 2006, to the following address:

The Secretary
EO 12372 – CFDA #84.215F
U.S. Department of Education
400 Maryland Avenue, SW
Room 7W300
Washington, DC 20202-0124

Recommendations or comments may be hand-delivered until 4:30 p.m. (Eastern Time) on June 12, 2006. Please do not send applications to this address.

State Single Points of Contact

ARKANSAS
Tracy L. Copeland
Manager, State Clearinghouse
Office of Intergovernmental Services
Department of Finance and Admin.
1515 W. 7th St., Room 412
Little Rock, Arkansas 72203
Telephone: (501) 682-1074
Fax: (501) 682-5206
tracy.copeland@dfa.state.ar.us

CALIFORNIA
Grants Coordination
State Clearinghouse
Office of Planning and Research
P.O. Box 3044, Room 222
Sacramento, California 95812-3044
Telephone: (916) 445-0613
Fax: (916) 323-3018
state.clearinghouse@opr.ca.gov

DELAWARE
Ellen P. McDowell
Federal Aid Coordinator
Office of Management and Budget
540 S. duPont Highway, 3rd Floor
Dover, Delaware 19901
Telephone: (302) 739-3327
Fax: (302) 739-5661
ellen.mcdowell@state.de.us

DISTRICT OF COLUMBIA
Marlene Jefferson
DC Government Office of Partnerships
and Grants Development
441 4th Street, NW
Washington, DC 20001
Telephone: (202) 727-6518
Fax: (202) 727-1652
marlene.jefferson@dc.gov

FLORIDA
Lauren P. Milligan
Florida State Clearinghouse
Florida Dept. of Environmental Protection
3900 Commonwealth Boulevard
Mail Station 47
Tallahassee, Florida 32399-3000
Telephone: (850) 245-2161
Fax: (850) 245-2190
Lauren.Milligan@dep.state.fl.us

GEORGIA
Barbara Jackson
Georgia State Clearinghouse
270 Washington Street, SW, 8th Floor
Atlanta, Georgia 30334
Telephone: (404) 656-3855
Fax: (404) 656-7916
gach@mail.opb.state.ga.us

ILLINOIS
Roukaya McCaffrey
Department of Commerce and Economic Opportunities
620 East Adams, 6th Floor
Springfield, Illinois 62701
Telephone: (217) 524-0188
Fax (217) 558-0473
roukaya_mccaffrey@illinoisbiz.biz

KENTUCKY
Ron Cook
The Governor's Office for Local Development
1024 Capital Center Drive, Suite 340
Frankfort, Kentucky 40601
Telephone: (502) 573-2382 / (800) 346-5606
Fax: (502) 573-2512
Ron.Cook@Ky.Gov

IOWA
Kathy Mabie
Iowa Department of Management
State Capitol Building Room G12
1007 E Grand Avenue
Des Moines, Iowa 50319
Telephone: (515) 281-8834
Fax: (515) 242-5897
Kathy.Mabie@iowa.gov

MAINE
Joyce Benson
State Planning Office
184 State Street
38 State House Station
Augusta, Maine 04333
Telephone: (207) 287-3261
(direct) (207) 287-1461
Fax: (207) 287-6489
joyce.benson@state.me.us

MARYLAND
Linda C. Janey, J.D.
Director, Maryland State Clearinghouse
For Intergovernmental Assistance
301 West Preston Street, Room 1104
Baltimore, Maryland 21201-2305
Telephone: (410) 767-4490
Fax: (410) 767-4480
ljaney@mdp.state.md.us

MICHIGAN
Richard Pfaff
Southeast Michigan Council of Governments
535 Griswold, Suite 300
Detroit, Michigan 48226
Telephone: (313) 961-4266
Fax: (313) 961-4869
pfaff@semcog.org

MISSISSIPPI
Janet Riddell
Clearinghouse Officer
Department of Finance and Administration
1301 Woolfolk Building, Suite E
501 North West Street
Jackson, Mississippi 39201
Telephone: (601) 359-6762
Fax: (601) 359-6758
JRiddell@dfa.state.ms.us

MISSOURI
Sara VanderFeltz
Federal Assistance Clearinghouse
Office of Administration
Commissioner's Office
Capitol Building, Room 125
Jefferson City, Missouri 65102
Telephone: (573) 751-0337
Fax: (573) 751-1212
sara.vanderfeltz@oa.mo.gov

NEVADA
Kimberley Perondi
Department of Administration
State Clearinghouse
209 E. Musser Street, Room 200
Carson City, Nevada 89701
Telephone: (775) 684-0209
Fax: (775) 684-0260
kperondi@budget.state.nv.us

NEW HAMPSHIRE
MaryAnn Manoogian
Director, New Hampshire Office of Energy and Planning
Attn: Intergovernmental Review Process
Benjamin Frost
57 Regional Drive
Concord, New Hampshire 03301-8519
Telephone: (603) 271-2155
Fax: (603) 271-2615
irp@nh.gov

NEW YORK
Linda Shkreli
Office of Public Security
Homeland Security Grants Coordination
633 3rd Avenue
New York, NY 10017
Telephone: (212) 867-1289
Fax: (212) 867-1725

NORTH DAKOTA
Jim Boyd
ND Department of Commerce
1600 East Century Avenue, Suite 2
P.O. Box 2057
Bismarck, North Dakota 58502-2057
Telephone: (701) 328-2676
Fax: (701) 328-2308
jboyd@state.nd.us

RHODE ISLAND
Joyce Karger
Department of Administration
One Capitol Hill
Providence, Rhode Island
02908-5870
Telephone: (401) 222-6181
Fax: (401) 222-2083
jkarger@doa.state.ri.us

SOUTH CAROLINA
Jean Ricard
Office of State Budget
1201 Main Street, Suite 870
Columbia, South Carolina 29201
Telephone: (803) 734-1314
Fax: (803) 734-0645
JRicard@budget.sc.gov

TEXAS
Denise S. Francis
Director, State Grants Team
Governor's Office of Budget
and Planning
P.O. Box 12428
Austin, Texas 78711
Telephone: (512) 305-9415
Fax: (512) 936-2681
dfrancis@governor.state.tx.us

UTAH
Sophia DiCaro
Utah State Clearinghouse
Governor's Office of Planning and
Budget Utah State Capitol Complex
Suite E210, PO Box 142210
Salt Lake City, Utah 84114-2210
Telephone: (801) 538-1027
Fax: (801) 538-1547
sdicaro@utah.gov

WEST VIRGINIA
Fred Cutlip, Director
Community Development
Division
West Virginia Development
Office
Building #6, Room 553
Charleston, West Virginia
25305
Telephone: (304) 558-4010
Fax: (304) 558-3248
fcutlip@wvdo.org

WISCONSIN
Division of Intergovernmental
Relations
Wisconsin Department of
Administration
101 East Wilson Street, 10th Floor
P.O. Box 8944
Madison, Wisconsin 53708
Telephone: (608) 266-7043
Fax: (608) 267-6917
SPOC@doa.state.wi.us

AMERICAN SAMOA
Pat M. Galea'i
Federal Grants/Programs Coordinator
Office of Federal Programs/Office of the Governor
Department of Commerce
American Samoa Government
Pago Pago, American Samoa 96799
Telephone: (684) 633-5155
Fax: (684) 633-4195
pmgaleai@samoatelco.com

GUAM
Director
Bureau of Budget and Mgmt. Research
Office of the Governor
P.O. Box 2950
Agana, Guam 96910
Telephone: 011-671-472-2285
Fax: 011-472-2825
jer@ns.gov.gu

NORTH MARIANA ISLANDS
Ms. Jacoba T. Seman
Federal Programs Coordinator
Office of Management and Budget
Office of the Governor
Saipan, MP 96950
Telephone: (670) 664-2289
Fax: (670) 664-2272
omb.jseman@saipan.com

VIRGIN ISLANDS
Ira Mills
Director, Office of Management and Budget
#41 Norre Gade Emancipation Garden Station, Second Floor
Saint Thomas, Virgin Islands 00802
Telephone: (340) 774-0750
Fax: (340) 776-0069
lrmills@usvi.org

PUERTO RICO
Jose Caballero / Mayra Silva
Puerto Rico Planning Board
Federal Proposals Review Office
Minillas Government Center
P.O. Box 41119
San Juan, Puerto Rico 00940-1119
Telephone: (787) 723-6190
Fax: (787) 722-6783

Changes to this list may be made only after OMB is notified by a State's officially designated representative. An email message may be sent to mgrants@omb.eop.gov. If you prefer, you may send correspondence to the following address:

Attn: Grants Management
Office of Management and Budget
New Executive Office Building, Suite 6025
725 17th Street, NW
Washington, DC 20503

Note: Do not send inquiries about obtaining a federal grant to the OMB email or postal address shown. The best source for this information is the *Catalog of Federal Domestic Assistance* or CFDA (http://www.cfda.gov) and the Grants.gov website (http://www.grants.gov).

APPENDIX A

Authorizing Legislation
Section 5501, PART D, SUBPART 10
TITLE V , ESEA

SUBPART 10—PHYSICAL EDUCATION

SEC. 5501. SHORT TITLE.

This subpart may be cited as the “Carol M. White Physical Education Program”.

SEC. 5502. PURPOSE.

The purpose of this subpart is to award grants and contracts to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

SEC. 5503. PROGRAM AUTHORIZED.

(a) AUTHORIZATION—The Secretary is authorized to award grants to local educational agencies and community-based organizations (such as Boys and Girls Clubs, Boy Scouts, and the Young Men’s Christian Association (YMCA) and Young Women’s Christian Association (YWCA) to pay the Federal share of the costs of initiating, expanding, and improving physical education programs (including after-school programs) for kindergarten through 12th grade students by—

(1) providing equipment and support to enable students to participate actively in physical education activities; and
(2) providing funds for staff and teacher training and education.

(b) PROGRAM ELEMENTS—A physical education program funded under this subpart may provide for one or more of the following:

(1) Fitness education and assessment to help students understand, improve, or maintain their physical well-being.
(2) Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of every student.
(3) Development of, and instruction in, cognitive concepts about motor skills and physical fitness that support a lifelong healthy lifestyle.
(4) Opportunities to develop positive social and cooperative skills through physical activity participation.
(5) Instruction in healthy eating habits and good nutrition.

(6) Opportunities for professional development for teachers of physical education to stay abreast of the latest research, issues, and trends in the field of physical education

(c) SPECIAL RULE—For the purposes of this subpart, extracurricular activities, such as team sports and Reserve Officers' Training Corps (ROTC) program activities, shall not be considered as part of the curriculum of a physical education program assisted under this subpart.

SEC. 5504. APPLICATIONS.

(a) SUBMISSION—Each local educational agency or community-based organization desiring a grant or contract under this subpart shall submit to the Secretary an application that contains a plan to initiate, expand, or improve physical education programs in order to make progress toward meeting State standards for physical education.

(b) PRIVATE SCHOOL AND HOME-SCHOOLED STUDENTS—An application for funds under this subpart may provide for the participation, in the activities funded under this subpart, of---

(1) students enrolled in private nonprofit elementary schools or secondary schools, and their parents and teachers; or
(2) home-schooled students, and their parents and teachers

.

SEC. 5505. REQUIREMENTS.

(a) ANNUAL REPORT TO THE SECRETARY—In order to continue receiving funding after the first year of a multiyear grant or contract under this subpart, the administrator of the grant or contract for the local educational agency or community-based organization shall submit to the Secretary an annual report that—

(1) describes the activities conducted during the preceding year; and
(2) demonstrates that progress has been made toward meeting state standards for physical education..

(b) ADMINISTRATIVE EXPENSES—Not more than 5 percent of the grant funds made available to a local educational agency or community-based organization under this subpart for any fiscal year may be used for administrative expenses.

SEC. 5506. ADMINISTRATIVE PROVISIONS.

(a) FEDERAL SHARE—The Federal share under this subpart may not exceed--

(1) 90 percent of the total cost of a program for the first year for which the program receives assistance under this subpart, and
(2) 75 percent of such costs for the second and each subsequent such year.

(b) PROPORTIONALITY—To the extent practicable, the Secretary shall ensure that grants awarded under this subpart shall be equitably distributed among local educational agencies and community-based organizations serving urban and rural areas.

(c) REPORT TO CONGRESS—Not later than June 1, 2003, the Secretary shall submit a report to Congress that—

(1) describes the programs assisted under this subpart;
(2) documents the success of such programs in improving physical fitness; and
(3) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this subpart.

(d) AVAILABILITY OF FUNDS—Amounts made available to the Secretary to carry out this subpart shall remain available until expended.

SEC. 5507. SUPPLEMENT, NOT SUPPLANT.

Funds made available under this subpart shall be used to supplement, and not supplant, any other Federal, State, or local funds available for physical education activities.

APPENDIX B

Frequently Asked Questions

GENERAL

What is the application deadline date?

Applications are due on April 12, 2006 by 4:30 p.m. (Eastern Time).

May I get an extension of the deadline date?

Waivers for individual applications failing to meet the deadline date will not be granted. Under very extraordinary circumstances, the Department may change the closing date for a grant competition. If that occurs, the Department will announce the change in a Federal Register notice.

Is there a minimum or maximum amount for requested grant funds?

No. Although the application package includes an estimated range of awards, an applicant should request the amount needed to support the goals, objectives, and scope of the proposed project, including a detailed justification for that amount. The average award amount is $300,000.

When will awards be announced?

We intend to announce awards in August 2006. However, awards may be announced as late as September 30, 2006.

Is this a multi-year grant program?

Yes. Projects may be funded for up to 36 months (three budget periods of 12 months each), contingent upon the demonstration of substantial progress each year toward meeting project goals and objectives, and the availability of future funding.

How many new awards will be made?

We estimate making 58 new awards.

May I use grants.gov to submit my application?

No. Applicants will not have grants.gov as an option for submitting their proposal. Applicants will have the option of submitting their proposal in hardcopy or through the Department's e-Grants portal. For information on submission options, see the "Application Submission" section.

What steps can I take to maximize my chances of receiving a grant?

- Read and follow the suggestions provided in the "Applicant Tips" section.

- Make sure your application meets the statutory and other requirements outlined in the application package to receive funding consideration.

- Make sure your application is complete, organized, and comprehensively addresses the selection criteria. Reviewers are not permitted to give you "the benefit of the doubt"; therefore, failing to meet the requirements or poorly addressing the selection criteria will have a negative impact on your score.

- Make sure you complete a budget request (ED Form 524 – Sections A and B) and provide a budget narrative for both Federal and matching funds for each year. Failure to provide the budget form and budget narrative, for each project year, will result in no funding for those years.

- Be sure to submit your application on or before the deadline date.

How does one submit a signed face sheet (and other required forms) as part of the electronic application submission?

If you are submitting an electronic application, you are required to fax the signed face page to the Department of Education within three working days after submitting your electronic application. Please fax signed documents to the Department's Office of Safe and Drug-Free Schools at 202-205-5722. Make sure the authorized representative signs the ED 424 form, and place the PR Award number in the upper right hand corner of all faxed documents.

May I use only national data to support the need for a grant in my district?

No. Needs assessments must be based on identified needs of the specific target population to be served by the grant and must link to gaps and weaknesses in meeting your State's standards. However, you may compare local data to national data.

May I use another district's application as a model for my submission?

Information submitted in response to the scoring criteria must be specific to your district or organization; therefore, we strongly discourage using form or model applications. Identical or substantially similar applications are not responsive to the scoring criteria and may not be rated highly enough to receive funding.

May a copy of my application be shared with the public?

Yes. Through the Freedom of Information Act (FOIA) any person has a right to request access to federal agency records or information. All U.S. Government agencies are required to disclose records upon receiving a written request for them, except for those records that are protected from disclosure by the nine exemptions listed in the FOIA. All applications submitted for funding consideration under this grant competition are subject to FOIA. To read the text of FOIA, visit www.usdoj.gov/04foia/foiastat.htm.

Who do I contact for more information about this grant competition?

You may contact Lisa Clayton (202-260-0834 or lisa.clayton@ed.gov) or Deirdra Hilliard (202-260-2643 or deirdra.hilliard@ed.gov).

ELIGIBILITY

Who is eligible to apply?

Eligible applicants are LEAs and CBOs, including faith-based organizations. For the definition of an LEA and CBO, see the "General Information" section.

May I submit an application on behalf of my local school or does it have to be submitted by the district?

Eligible applicants are local educational agencies and community-based organizations. Applications submitted by individual schools will not be considered.

Under what circumstances may a grant application that is submitted for funding under this competition be deemed ineligible for review?

Reasons that grant applications are deemed ineligible for review include, but are not limited to: (a) failure to address the absolute priority, (b) application submitted by an ineligible entity, (c) failure to provide the required non-Federal match, or (d) application submitted past the due date.

My organization currently has a PEP grant. Are we eligible to apply for another PEP grant under this competition?

Yes. Eligible applicants include those that have an active PEP grant. However, applicants with an active PEP grant must demonstrate how their proposed project, submitted under this competition, differs from their active PEP grant. To receive a grant under this competition, there cannot be any duplication or overlap with an active PEP grant. A grant is active until the end of the grant's project or funding period, including any extensions of those periods that lengthen the grantee's authority to obligate funds.

REQUIREMENTS

If my State does not have physical education standards what should I do?

If your State does not have standards for physical education, you must use the standards from another State. Be sure to identify in your application the State whose standards you are using and why you chose that State's standards. You may not use national standards because the legislative language for this program (under section 5504(a)) requires a submission to address State standards.

This competition has a "supplement, not supplant" provision. What does this mean?

This provision prohibits applicants from using Federal funds to pay for any services or functions that would be incurred regardless of grant funding. As a result, PEP grant funds cannot replace existing Federal, State or local funds available for physical education activities; instead, PEP funds must be used in addition to these other resources.

Based on Federal regulations, if a grantee decides to charge indirect costs to a program that has a statutory requirement prohibiting the use of Federal funds to supplant non-Federal funds, the grantee must use its negotiated restricted indirect cost rate. Your organization must submit proof of its negotiated restricted indirect cost rate with the application if you are planning to claim indirect costs.

Do I have to get bids for goods and services under this grant?

You are required to follow your organization's established procurement procedures. If you are unclear about those procedures, consult your organization's business or finance office.

BUDGET

Is there a matching requirement?

Yes. PEP grant funds may only pay 90 percent of costs in the first year and 75 percent of costs in each subsequent year. Matching funds provided must be directly related to proposed project. See the "Requirements" section for examples on how to calculate the necessary match.

Does the in-kind match have to be cash? What types of resources may be used as the required match?

No. The matching requirement may be met by using other non-Federal resources such as donated staff time or salary for the Project Director to perform administrative oversight of this project. Another example of an acceptable match is the cost of substitutes while teachers are being trained. <u>Note that the salaries of current physical education teachers may not be used to satisfy the matching requirement</u>. In addition, discounts on equipment purchases may not be used to satisfy the matching requirement.

May the match include volunteered time or the value of existing equipment?

Yes. If you want to count the value of donated time towards your match, you must include letters of commitment with your application. If you want to include the market value of existing equipment towards your match, you must include in your application documentation as to how the market value was determined.

May the match include the rental value of facilities?

Yes. You may include the cost to rent a facility towards your match if such facility will be used to conduct your program activities, and if you provide evidence that the facility is customarily rented at the cost claimed. Rental fees may not be claimed on classrooms, gymnasiums, pools, or other facilities not normally rented.

Is there a cap on administrative costs?

Yes. Not more than five percent of the grant funds made available to an LEA or CBO may be used for administrative costs.

What is an indirect cost?

An indirect cost is an expense that you incur that is necessary to implement the grant, but may be difficult to identify or allocate specifically to your grant. For example, indirect costs may include funds spent for heat, light, rent, telephone, security, accounting, or Internet use.

If your organization prefers to use all of its grant funds for direct project costs, you are not required to charge the grant for indirect costs. If you wish to charge indirect costs, however, you must use a **negotiated restricted indirect cost rate** for this competition.

See Appendix C – Indirect Costs Instructions for additional information.

How do I obtain a restricted indirect cost rate?

Your organization may already have a restricted indirect cost rate with a Federal government agency, so first check with your business office or state educational agency. For more information about indirect cost rates, visit http://www.ed.gov/about/offices/list/ocfo/fipao/icgindex.html or call 202-708-7770.

May I claim indirect costs on all expenses?

There are restrictions on the use of Federal funds to pay for certain costs. Please see Appendix C – Indirect Cost Instructions for additional information on the use of indirect costs.

An applicant's indirect costs will only be reviewed during the budget analysis process should the applicant fall within funding consideration. If questions arise about indirect costs during this process, the applicant will be contacted.

Who in my organization may be able to provide information about our restricted indirect cost rate?

If you do not know your negotiated restricted indirect cost rate, please contact your business office. You will need to submit proof of this cost rate, such as a signed letter or a page from a state Web site.

USE OF GRANT FUNDS

Is there any legislative restriction on how grant funds may be used?

Yes. Section 5503(c) states that "For the purposes of this subpart, extracurricular activities, such as team sports and Reserve Officers' Training Corps (ROTC) program activities, shall not be considered as part of the curriculum of a physical education program assisted under this subpart."

May I use the funds for construction, to build a gymnasium or other facility (i.e. swimming pool, tennis courts, tracks, or other fields) or to purchase land, a building or other facility?

No. Facilities construction (such as tennis courts, volleyball courts, basketball courts, swimming pools, gymnasiums, and other permanent structures) is not an allowable expense.

What kind of equipment may I purchase with these funds?

Under this program you may purchase durable goods designed for use either for programs or staff training or other purposes directly associated with the six program elements listed in the program legislation.   This would include such things as science-based curriculum and items that encourage or support individual physical activity.

Are there specific equipment or supply items that cannot be purchased with these funds?

Yes. Grant funds may not be used to purchase: 1) vehicles; 2) food and beverages, including healthy snacks; and 3) incentives or prizes, including clothing and shoes, awards, bonuses, promotional items or memorabilia.

May I charge students activity fees?

No. Students may not be charged to participate in activities that are being paid for with grant funds.

We don’t have any evaluation expertise on our staff. Can we hire an outside evaluator using grant funds?

Yes. Please make sure your evaluator’s costs reasonably reflect the scope of work.

May staff or community members regularly use equipment purchased with grant funds?

No. Only students served by the grant should regularly use purchased equipment. However, teachers may use purchased equipment as part of their normal instruction. Instructors may also demonstrate how to use equipment at events held during or after school hours.

DATA COLLECTION

Do we need to measure Body Mass Index (BMI) as part of this project?

No. You may include BMI as a performance measure in your project, but it is not required. However, if BMI measurement is undertaken, you should carefully consider the intended use of the data, confidentiality and reporting procedures, and other aspects of data collection as necessary. Some school districts and states are collecting children’s BMI but the methods of collection, approaches, or even the utility of collecting BMI are still being evaluated for impact and effectiveness.

APPENDIX C

Indirect Cost Instructions

The Department of Education (ED) reimburses a grantee for part of its indirect costs incurred in projects funded by the Carol M. White Physical Education Program (PEP), 84.215F. These kinds of costs generally are recovered through an indirect cost rate (**ICR**) that the grantee negotiates with its *cognizant agency,* i.e., either the Federal agency from which it has received the most direct funding, subject to indirect cost support, the particular agency specifically assigned cognizance by the Office of Management and Budget or the State agency that provides the most subgrant funds to the grantee.

The PEP statute contains a supplement, not supplant provision that requires a reduction in the indirect cost rate so that costs which are unallowable under the supplement, not-supplant program are not recovered through the indirect cost rate. Under these kinds of programs, a grantee cannot use Federal funds to pay for certain costs it would have to incur even if it didn't get any Federal grants. To ensure that these types of costs are not recovered, ED has established a *restricted indirect cost rate*. The detailed requirements of restricted rates are in the Education Department General Administrative Regulations (EDGAR) at §§75.563 and 76.563-569.

Note: Applicants should pay special attention to specific questions on the application budget form (ED 524) about their cognizant agency and the ICR they are using in their budget.

If an applicant selected for funding under this program has not already established a current indirect cost rate with its cognizant agency as a result of current or previous funding, ED requires the grantee to propose a restricted rate to its cognizant agency within 90 days after the beginning date of the grant award. Applicants should be aware that ED is very often ***not*** the cognizant agency for its own grantees.

Also, an applicant that has not previously established a restricted indirect cost rate with its cognizant agency and that is selected for funding will not be allowed to charge its grant for indirect costs until it has negotiated a current indirect cost rate agreement with its cognizant agency.

Applicants are encouraged to use their accountant (or CPA) to calculate an indirect cost rate using information in the IRS Form 990, audited financial statements, actual cost data or a *cost policy statement* that such applicants are urged to prepare (but NOT submit to ED) during the application process.

Once an applicant has developed its indirect cost rate, it should develop a proposed restricted rate for use in this program and submit the proposed restricted rate in its application materials, indicating which of the above methods was used to calculate the rate. Guidance for creating a cost policy statement can be obtained by sending an email to katrina.mcdonald@ed.gov.

An applicant that already has a negotiated ICR and that plans to submit an application under this program should have the cognizant agency contact the ED Indirect Cost Group (202 708-7770) for guidance on how to calculate the restricted rate. The applicant should then use this separate, restricted rate in projecting indirect costs in the budget submitted with its current application. Applicants other than a State or local government agency also have the option of charging indirect costs at 8% of the grantee's Modified Total Direct Costs in accordance with EDGAR at 76.564 (c), unless we determine that the actual restricted ICR is lower than 8%.

Applicants must bear in mind that items of cost excluded from restricted indirect cost rates may **not** be charged to grants as direct cost items. Nor may they be used to satisfy matching or cost-sharing requirements under a grant or charged to other Federal awards.

Applicants with questions about using restricted indirect cost rates under this program should get in touch with the program contacts identified on the last page of this application package or in the *Federal Register* notice announcing the grant competition.

APPENDIX D

Application Package Checklist

- ❑ Application for Federal Education Assistance (ED Form 424) has been completed according to the instructions and includes the nine-digit D-U-N-S Number and Tax Identification Number.

11. The application cover sheet of the ED Form 424 has been **signed and dated by an authorized official** and the signed original has been included with your submission. If you submit an electronic application, fax signed documents to the Department's Office of Safe and Drug-Free Schools at 202-205-5722.

- ❑ One signed original and two copies of the application (including ED Form 424) and appendices. All copies are unbound and each page is consecutively numbered.

- ❑ A plan that addresses the absolute priority for this grant.

- ❑ A plan that provides one or more of the required six program elements.

- ❑ Completed ED Form 524 – both Sections A and B.

- ❑ A detailed budget narrative for both Federal and matching funds for each year.

- ❑ Information about the project director's time commitment to the project.

- ❑ Proof of your negotiated restricted indirect cost rate, if you are claiming indirect costs.

- ❑ A copy of your letter to your State Single Point of Contact, if applicable.

<u>EACH APPLICATION SHOULD INCLUDE THE FOLLOWING SECTIONS</u>:

- ❑ Application Form (ED Form 424)
- ❑ Table of contents
- ❑ Project Abstract
- ❑ Project Narrative
- ❑ Budget Information Form (ED Form 524) and budget narrative
- ❑ List of project personnel
- ❑ Certifications and Assurances
- ❑ Narrative response to the GEPA 427 provision

Application Deadline Date: April 12, 2006 by 4:30 p.m. (Eastern Time)

APPENDIX E

Required Forms and Assurances

Application for Federal
Education Assistance (ED 424)

U.S. Department of Education
Form Approved
OMB No. 1890-0017
Exp. 04/30/2008

Applicant Information

Organizational Unit

1. Name and Address
Legal Name:______________________________

Address: ______________________________

____

______________ ______ ______________ ______________ - ________
City State County ZIP Code + 4

2. Applicant's D-U-N-S Number |___|___|___|___|___|___|___|___|___|

3. Applicant's T-I-N |___|___| - |___|___|___|___|___|___|___|

4. Catalog of Federal Domestic Assistance #: **84.**____|____|____|____|

Title: ______________________________

____

5. Project Director:______________________________

Address:______________________________

______________ ______ ________ ______
City State Zip code + 4
Tel. #: ( ) _______-________ Fax #: ( )_______-________

E-Mail Address: ______________________________

6. Novice Applicant ___Yes ___No

7. Is the applicant delinquent on any Federal debt? ___Yes ___No
(If "Yes," attach an explanation.)

8. Type of Applicant *(Enter appropriate letter in the box.)* |____|

A - State
B - Local
C - Special District
D - Indian Tribe
E - Individual
F - Independent School District
G - Public College or University
H - Private, Non-profit College or University
I - Non-profit Organization
J - Private, Profit-Making Organization

K - Other (*Specify*): ______________________________

9. State Application Identifier ______________________________.

______________________________.

Application Information

10. Type of Submission:

-PreApplication
___ Construction
___ Non-Construction

-Application
___ Construction
___ Non-Construction

11. Is application subject to review by Executive Order 12372 process?
___ Yes (*Date made available to the Executive Order 12372 process for review):* ____/____/_________

___ No *(If "No," check appropriate box below.)*
___ Program is not covered by E.O. 12372.
___ Program has not been selected by State for review.

12. Proposed Project Dates: ____/____/________ ____/____/_________
Start Date: **End Date:**

13. Are any research activities involving human subjects planned at any time during the proposed project period?
___ Yes (Go to 13a.) ___ No (Go to item 14.)

13a. Are **all** the research activities proposed designated to be exempt from the regulations?
___ Yes (Provide Exemption(s) #): ______________________

___ No (Provide Assurance #): ______________________

14. Descriptive Title of Applicant's Project:

____

____

Estimated Funding

15a. Federal $ ________________. **00**
b. Applicant $ ________________. **00**
c. State $ ________________. **00**
d. Local $ ________________. **00**
e. Other $ ________________. **00**
f. Program Income $ ________________. **00**
g. TOTAL $ ________________. **00**

Authorized Representative Information

16. To the best of my knowledge and belief, all data in this preapplication/application are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.

a. Authorized Representative (*Please type or print name clearly*.)

____

b. Title: ______________________________

c. Tel. #: ( ) ________-____________ Fax #: ( ) ________-____________

d. E-Mail Address: ______________________________

e. Signature of Authorized Representative

______________________________ Date:___/____/______

Instructions for Form ED 424

1. **Legal Name and Address.** Enter the legal name of applicant and the name of the primary organizational unit which will undertake the assistance activity.

2. **D-U-N-S Number.** Enter the applicant's D-U-N-S Number. If your organization does not have a D-U-N-S Number, you can obtain the number by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL: **http://www.dnb.com.**

3. **Tax Identification Number.** Enter the taxpayer's identification number as assigned by the Internal Revenue Service.

4. **Catalog of Federal Domestic Assistance (CFDA) Number.** Enter the CFDA number and title of the program under which assistance is requested. The CFDA number can be found in the federal register notice and the application package.

5. **Project Director.** Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application.

6. **Novice Applicant.** Check **"Yes"** or "**No**" only if assistance is being requested under a program that gives special consideration to novice applicants. Otherwise, **leave blank.**

   Check "**Yes"** if you meet the requirements for novice applicants specified in the regulations in 34 CFR 75.225 and included on the attached page entitled "Definitions for Form ED 424." By checking "Yes" the applicant certifies that it meets these novice applicant requirements. Check "**No**" if you do not meet the requirements for novice applicants**.**

7. **Federal Debt Delinquency.** Check **"Yes"** if the applicant's organization is delinquent on any Federal debt. (This question refers to the applicant's organization and not to the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.) Otherwise, check **"No."**

8. **Type of Applicant.** Enter the appropriate letter in the box provided.

9. **State Application Identifier.** State use only (if applicable).

10. **Type of Submission.** See "Definitions for Form ED 424" attached.

11. **Executive Order 12372.** See "Definitions for Form ED 424" attached. Check **"Yes"** if the application is subject to review by E.O. 12372. Also, please enter the month, day, and four (4) digit year (e.g., 12/12/2001). Otherwise, check **"No."**

12. **Proposed Project Dates.** Please enter the month, day, and four (4) digit year (e.g., 12/12/2001).

13. **Human Subjects Research.** (See I.A. "Definitions" in attached page entitled "Definitions for Form ED 424.")

    If Not Human Subjects Research. Check "**No**" if research activities involving human subjects are not planned at any time during the proposed project period. The remaining parts of Item 13 are then not applicable.

    If Human Subjects Research. Check "**Yes**" if research activities involving human subjects are planned at any time during the proposed project period, either at the applicant organization or at any other performance site or collaborating institution. Check "**Yes**" even if the research is exempt from the regulations for the protection of human subjects. (See I.B. "Exemptions" in attached page entitled "Definitions for Form ED 424.")

13a. If Human Subjects Research is Exempt from the Human Subjects Regulations. Check "**Yes**" if all the research activities proposed are designated to be exempt from the regulations. Insert the exemption number(s) corresponding to one or more of the six exemption categories listed in I.B. "Exemptions." In addition, follow the instructions in II.A. "Exempt Research Narrative" in the attached page entitled "Definitions for Form ED 424." Insert this narrative immediately following the ED 424 face page.

13a. If Human Subjects Research is Not Exempt from Human Subjects Regulations. Check "**No**" if some or all of the planned research activities are covered (not exempt). In addition, follow the instructions in II.B. "Nonexempt Research Narrative" in the page entitled "Definitions for Form ED 424." Insert this narrative immediately following the ED 424 face page.

13a. Human Subjects Assurance Number. If the applicant has an approved Federal Wide (FWA) or Multiple Project Assurance (MPA) with the Office for Human Research Protections (OHRP), U.S. Department of Health and Human Services, that covers the specific activity, insert the number in the space provided. If the applicant does not have an approved assurance on file with OHRP, enter "None." In this case, the applicant, by signature on the face page, is declaring that it will comply with 34 CFR 97 and proceed to obtain the human subjects assurance upon request by the designated ED official. If the application is recommended/selected for funding, the designated ED official will request that the applicant obtain the assurance within 30 days after the specific formal request.

Note about Institutional Review Board Approval. ED does not require certification of Institutional Review Board approval with the application. However, if an application that involves non-exempt human subjects research is recommended/selected for funding, the designated ED official will request that the applicant obtain and send the certification to ED within 30 days after the formal request.

14. **Project Title.** Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

15. **Estimated Funding.** Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate **only** the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 14.

16. **Certification.** To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must

be on file in the applicant's office. Be sure to enter the telephone and fax number and e-mail address of the authorized representative. Also, in item 16e, please enter the month, day, and four (4) digit year (e.g., 12/12/2001) in the date signed field.

Paperwork Burden Statement. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0017. The time required to complete this information collection is estimated to average between 15 and 45 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 20202-4700**. If you have comments or concerns regarding the status of your individual submission of this form write directly to:** Joyce I. Mays, Application Control Center, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4260.

Novice Applicant (See 34 CFR 75.225). For discretionary grant programs under which the Secretary gives special consideration to novice applications, a novice applicant means any applicant for a grant from ED that—

- Has never received a grant or subgrant under the program from which it seeks funding;
- Has never been a member of a group application, submitted in accordance with 34 CFR 75.127-75.129, that received a grant under the program from which it seeks funding; and
- Has not had an active discretionary grant from the Federal government in the five years before the deadline date for applications under the program. For the purposes of this requirement, a grant is active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds.

In the case of a group application submitted in accordance with 34 CFR 75.127-75.129, a group includes only parties that meet the requirements listed above.

Type of Submission. "Construction" includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings, or any combination of such activities (including architects' fees and the cost of acquisition of land). "Construction" also includes remodeling to meet standards, remodeling designed to conserve energy, renovation or remodeling to accommodate new technologies, and the purchase of existing historic buildings for conversion to public libraries. For the purposes of this paragraph, the term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them; and such term includes all other items necessary for the functioning of a particular facility as a facility for the provision of library services.

Executive Order 12372. The purpose of Executive Order 12372 is to foster an intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The application notice, as published in the Federal Register, informs the applicant as to whether the program is subject to the requirements of E.O. 12372. In addition, the application package contains information on the State Single Point of Contact. An applicant is still eligible to apply for a grant or grants even if its respective State, Territory, Commonwealth, etc. does not have a State Single Point of Contact. For additional information on E.O. 12372 go to http://www.archives.gov/federal_register/codification/executive_order/12372.html

PROTECTION OF HUMAN SUBJECTS IN RESEARCH

I. Definitions and Exemptions

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the research activity will involve use of human subjects, as defined in the regulations.

—Research

The ED Regulations for the Protection of Human Subjects, Title 34, Code of Federal Regulations, Part 97, define research as "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge." *If an activity follows a deliberate plan whose purpose is to develop or contribute to generalizable knowledge it is research.* Activities which meet this definition constitute research whether or not they are conducted or supported under a program which is considered research for other purposes. For example, some demonstration and service programs may include research activities.

—Human Subject

The regulations define human subject as "a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information." *(1) If an activity involves obtaining information about a living person by manipulating that person or that person's environment, as might occur when a new instructional technique is tested, or by communicating or interacting with the individual, as occurs with surveys and interviews, the definition of human subject is met. (2) If an activity involves obtaining private information about a living person in such a way that the information can be linked to that individual (the identity of the subject is or may be readily determined by the investigator or associated with the information), the definition of human subject is met.* [Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a school health record).]

B. Exemptions.

Research activities in which the **only** involvement of human subjects will be in one or more of the following six categories of ***exemptions*** are not covered by the regulations:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (a) research on regular and special education instructional strategies, or (b) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. ***If the subjects are children, exemption 2 applies only to research involving educational tests and observations of public behavior when the investigator(s) do not participate in the activities being observed. Exemption 2 does not apply if children are surveyed or interviewed or if the research involves observation of public behavior and the investigator(s) participate in the activities being***

observed. [Children are defined as persons who have not attained the legal age for consent to treatments or procedures involved in the research, under the applicable law or jurisdiction in which the research will be conducted.]

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior that is not exempt under section (2) above, if the human subjects are elected or appointed public officials or candidates for public office; or federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine: (a) public benefit or service programs; (b) procedures for obtaining benefits or services under those programs; (c) possible changes in or alternatives to those programs or procedures; or (d) possible changes in methods or levels of payment for benefits or services under those programs.

(6) Taste and food quality evaluation and consumer acceptance studies, (a) if wholesome foods without additives are consumed or (b) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.

II. Instructions for Exempt and Nonexempt Human Subjects Research Narratives

If the applicant marked "Yes" for Item 13 on the ED 424, the applicant must provide a human subjects "exempt research" or "nonexempt research" narrative and insert it immediately following the ED 424 face page.

A. Exempt Research Narrative.

If you marked "Yes" for item 13 a. and designated exemption numbers(s), provide the "exempt research" narrative. The narrative must contain sufficient information about the involvement of human subjects in the proposed research to allow a determination by ED that the designated exemption(s) are appropriate. The narrative must be succinct.

B. Nonexempt Research Narrative.

If you marked "No" for item 13 a. you must provide the "nonexempt research" narrative. The narrative must address the following seven points. Although no specific page limitation applies to this section of the application, be succinct.

(1) **Human Subjects Involvement and Characteristics**: Provide a detailed description of the proposed involvement of human subjects. Describe the characteristics of the subject population, including their anticipated number, age range, and health status. Identify the criteria for inclusion or exclusion of any subpopulation. Explain the rationale for the involvement of special classes of subjects, such as children, children with disabilities, adults with disabilities, persons with mental disabilities, pregnant women, prisoners, institutionalized individuals, or others who are likely to be vulnerable

(2) **Sources of Materials**: Identify the sources of research material obtained from individually identifiable living human subjects in the form of specimens, records, or data. Indicate whether the material or data will be obtained specifically for research purposes or whether use will be made of existing specimens, records, or data.

(3) **Recruitment and Informed Consent**: Describe plans for the recruitment of subjects and the consent procedures to be followed. Include the circumstances under which consent will be sought and obtained, who will seek it, the nature of the information to be provided to prospective subjects, and the method of documenting consent. State if the Institutional Review Board (IRB) has authorized a modification or waiver of the elements of consent or the requirement for documentation of consent.

(4) **Potential Risks**: Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and procedures that might be advantageous to the subjects.

(5) **Protection Against Risk**: Describe the procedures for protecting against or minimizing potential risks, including risks to confidentiality, and assess their likely effectiveness. Where appropriate, discuss provisions for ensuring necessary medical or professional intervention in the event of adverse effects to the subjects. Also, where appropriate, describe the provisions for monitoring the data collected to ensure the safety of the subjects.

(6) **Importance of the Knowledge to be Gained**: Discuss the importance of the knowledge gained or to be gained as a result of the proposed research. Discuss why the risks to subjects are reasonable in relation to the anticipated benefits to subjects and in relation to the importance of the knowledge that may reasonably be expected to result.

(7) **Collaborating Site(s)**: If research involving human subjects will take place at collaborating site(s) or other performance site(s), name the sites and briefly describe their involvement or role in the research.

Copies of the Department of Education's Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Grants Policy and Oversight Staff, Office of the Chief Financial Officer, U.S. Department of Education, Washington, D.C. 20202-4250, telephone: (202) 245-6120, and on the U.S. Department of Education's Protection of Human Subjects in Research Web Site at *<u>http://www.ed.gov/about/offices/list/ocfo/humansub.html</u>*

U.S. DEPARTMENT OF EDUCATION
BUDGET INFORMATION
NON-CONSTRUCTION PROGRAMS

OMB Control Number: 1890-0004
Expiration Date: 10-31-2007

Name of Institution/Organization	Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY

U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs*						
11. Training Stipends						
12. Total Costs (lines 9-11)						

***Indirect Cost Information *(To Be Completed by Your Business Office)*:**
If you are requesting reimbursement for indirect costs on line 10, please answer the following questions:
(1) Do you have an Indirect Cost Rate Agreement approved by the Federal government? ____Yes ____ No
(2) If yes, please provide the following information:
Period Covered by the Indirect Cost Rate Agreement: From: ___/___/______ To: ___/___/______ (mm/dd/yyyy)
Approving Federal agency: ____ ED ____ Other (please specify): ____________________________
(3) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:
___ Is included in your approved Indirect Cost Rate Agreement? or ___ Complies with 34 CFR 76.564(c)(2)?

Name of Institution/Organization	Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION B - BUDGET SUMMARY
NON-FEDERAL FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (Lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (Lines 9-11)						

SECTION C – BUDGET NARRATIVE (see instructions)

Instructions for ED 524

General Instructions

This form is used to apply to individual U.S. Department of Education (ED) discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached. Please consult with your Business Office prior to submitting this form.

Section A - Budget Summary
U.S. Department of Education Funds

All applicants must complete Section A and provide a breakdown by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e): For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, columns (a)-(e): Show the total budget request for each project year for which funding is requested.

Line 12, column (f): Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Indirect Cost Information:
If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. (1): Indicate whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government. (2): If you checked "yes" in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, indicate whether ED or another Federal agency (Other) issued the approved agreement. If you check "Other," specify the name of the Federal agency that issued the approved agreement. (3): If you are applying for a grant under a Restricted Rate Program (34 CFR 75.563 or 76.563), indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement or whether you are using a restricted indirect cost rate that complies with 34 CFR 76.564(c)(2). Note: State or Local government agencies may not use the provision for a restricted indirect cost rate specified in 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.

Section B - Budget Summary
Non-Federal Funds

If you are required to provide or volunteer to provide matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e): For each project year, for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e): Show the total matching or other contribution for each project year.

Line 12, column (f): Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

Section C - Budget Narrative [Attach separate sheet(s)]
Pay attention to applicable program specific instructions, if attached.

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.

2. If applicable to this program, provide the rate and base on which fringe benefits are calculated.

3. If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Depending on the grant program to which you are applying and/or your approved Indirect Cost Rate Agreement, some direct cost budget categories in your grant application budget may not be included in the base and multiplied by your indirect cost rate. For example, you must multiply the indirect cost rates of "Training grants" (34 CFR 75.562) and grants under programs with "Supplement not Supplant" requirements ("Restricted Rate" programs) by a "modified total direct cost" (MTDC) base (34 CFR 75.563 or 76.563). Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.

   When calculating indirect costs (line 10) for "Training grants" or grants under "Restricted Rate" programs, you must refer to the information and examples on ED's website at:
   http://www.ed.gov/fund/grant/apply/appforms/appforms.html.
   You may also contact (202) 377-3838 for additional information regarding calculating indirect cost rates or general indirect cost rate information.

4. Provide other explanations or comments you deem necessary.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1890-0004**. The time required to complete this information collection is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to (insert program office), U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

OMB Approval No. 0348-0040

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12 Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead- based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

CERTIFICATION REGARDING LOBBYING

Applicants must review the requirements for certification regarding lobbying included in the regulations cited below before completing this form. Applicants must sign this form to comply with the certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying." This certification is a material representation of fact upon which the Department of Education relies when it makes a grant or enters into a cooperative agreement.

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a Federal contract, grant or cooperative agreement over $100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts under grants and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certification.

NAME OF APPLICANT / OR PROJECT NAME	PR/AWARD NUMBER AND
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

Approved by OMB
0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

<table>
<tr>
<td>1. Type of Federal Action:
____ a. contract
b. grant
c. cooperative agreement
d. loan
e. loan guarantee
f. loan insurance</td>
<td>2. Status of Federal Action:
_____ a. bid/offer/application
b. initial award
c. post-award</td>
<td>3. Report Type:
_____ a. initial filing
b. material change

For material change only:
Year _______ quarter _______
Date of last report___________</td>
</tr>
<tr>
<td colspan="2">4. Name and Address of Reporting Entity:
____ Prime _____ Subawardee
Tier______, if Known:

Congressional District, if known:</td>
<td>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:

Congressional District, if known:</td>
</tr>
<tr>
<td colspan="2">6. Federal Department/Agency:</td>
<td>7. Federal Program Name/Description:

CFDA Number, if applicable: _________________</td>
</tr>
<tr>
<td colspan="2">8. Federal Action Number, if known:</td>
<td>9. Award Amount, if known:

$</td>
</tr>
<tr>
<td colspan="2">10. a. Name and Address of Lobbying Registrant
(if individual, last name, first name, MI):</td>
<td>b. Individuals Performing Services (including address if different from No. 10a)
(last name, first name, MI):</td>
</tr>
<tr>
<td colspan="2">11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.</td>
<td>Signature: _______________________________

Print Name: _____

Title: _____

Telephone No.: ____________ Date: _______</td>
</tr>
<tr>
<td colspan="2">Federal Use Only</td>
<td>Authorized for Local Reproduction
Standard Form - LLL (Rev. 7-97)</td>
</tr>
</table>

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

    (b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," " person," "primary covered transaction," " principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF APPLICANT	PR/AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

ED 80-0014, 9/90 (Replaces GCS-009 (REV.12/88), which is obsolete)

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

(1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1890-0007.** The time required to complete this information collection is estimated to average 1.5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-4250.

Survey on Ensuring Equal Opportunity for Applicants

OMB No. 1890-0014 Exp. 1/31/2006

Purpose: The Federal government is committed to ensuring that all qualified applicants, small or large, non-religious or faith-based, have an equal opportunity to compete for Federal funding. In order for us to better understand the population of applicants for Federal funds, we are asking nonprofit private organizations (not including private universities) to fill out this survey.

Upon receipt, the survey will be separated from the application. Information provided on the survey will not be considered in any way in making funding decisions and will not be included in the Federal grants database. While your help in this data collection process is greatly appreciated, completion of this survey is voluntary.

Instructions for Submitting the Survey: If you are applying using a hard copy application, please place the completed survey in an envelope labeled "Applicant Survey." Seal the envelope and include it along with your application package. If you are applying electronically, please submit this survey along with your application.

Applicant's (Organization) Name: ______________________________

Applicant's DUNS Number: ______________________________

Grant Name: ______________________________ **CFDA Number:** ____________

1. Does the applicant have 501(c)(3) status?

   ☐ Yes ☐ No

2. How many full-time equivalent employees does the applicant have? *(Check only one box).*

   ☐ 3 or Fewer ☐ 15-50
   ☐ 4-5 ☐ 51-100
   ☐ 6-14 ☐ over 100

3. What is the size of the applicant's annual budget?

   (Check only one box.)

   ☐ Less Than $150,000
   ☐ $150,000 - $299,999
   ☐ $300,000 - $499,999
   ☐ $500,000 - $999,999
   ☐ $1,000,000 - $4,999,999
   ☐ $5,000,000 or more

4. Is the applicant a faith-based/religious organization?

   ☐ Yes ☐ No

5. Is the applicant a non-religious community-based organization?

   ☐ Yes ☐ No

6. Is the applicant an intermediary that will manage the grant on behalf of other organizations?

   ☐ Yes ☐ No

7. Has the applicant ever received a government grant or contract (Federal, State, or local)?

   ☐ Yes ☐ No

8. Is the applicant a local affiliate of a national organization?

   ☐ Yes ☐ No

Survey Instructions on Ensuring Equal Opportunity for Applicants

Provide the applicant's (organization) name and DUNS number and the grant name and CFDA number.

1. 501(c)(3) status is a legal designation provided on application to the Internal Revenue Service by eligible organizations. Some grant programs may require nonprofit applicants to have 501(c)(3) status. Other grant programs do not.

2. For example, two part-time employees who each work half-time equal one full-time equivalent employee. If the applicant is a local affiliate of a national organization, the responses to survey questions 2 and 3 should reflect the staff and budget size of the local affiliate.

3. Annual budget means the amount of money your organization spends each year on all of its activities.

4. Self-identify.

5. An organization is considered a community-based organization if its headquarters/service location shares the same zip code as the clients you serve.

6. An "intermediary" is an organization that enables a group of small organizations to receive and manage government funds by administering the grant on their behalf.

7. Self-explanatory.

8. Self-explanatory.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0014. The time required to complete this information collection is estimated to average five (5) minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 2202-4651.

If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Joyce I. Mays, Application Control Center, U.S. Department of Education, 7th and D Streets, SW, ROB-3, Room 3671, Washington, D.C. 20202-4725

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